VOL. XIII.

HONOLULU, HAWAII, MONDAY, OCTOBER 30, 1905.

No. 4246

# FLATLY CONTRADICTS CART

## CIRCUIT JUDGES DISAGREF

DE BOLT AND ROBINSON HAVE DIFFERENT VIEWS REGARDING FORM OF INDICTMENTS-DEBOLTS RULING LAST TERM CON-FLICTS WITH ROBINSON'S RULING IN JONES CASE AND ROB-INSON WILL HEAR ARGUMENT AGAIN,

inson have given decisions which are name is to the grand jurors unknown. contrary to one another, and the mat- The point was raised in Takata's beter is to be presented to Judge Rob- half today by Attorney J. W. Cathcart, inson again, in the case of the Terri- on demurrer. tory vs. Takata, with a view to having "Your Honor and His Honor Judge the matter determined. The point at issue is as to the validity of an indict-

On a question regarding grand jury ment which contains the phrase, referindictments Judges De Bolt and Rob- ring to the defendant-"whose true

(Continued on page eight)

## **Hamilton Pleads**

CLEVER ARMY MAN DECIDES THAT THE FIGHT IS AGAINST HIM AND ADMITS BEFORE JUDGE DOLE THAT HE WAS GUILTY OF UTTERING BUT NOT OF MAKING FALSE COIN-SENTENCE DE-LAYED TO NEXT MONDAY

Corporal Hamilton blew up his own case this afternoon when the Federal correctly expressed his desires. He Court resumed.

He had commenced his cross-exa-He had commenced his cross-exat- false coin. He had a witness whom mination of the witness Cooper with he thought could have cleared him but ability but when after luncheon he came back to court Assistant United States Attorney J. J. Dunne rose and stated that the defendant wished to day next for sentence. Attorney J. plead to the second count in the in- J. Dunne entered a noile prosequi in dictment against him, that of utter- the charge of false coining. ing false coin. Attorney Dunne also of having made the false coin which ing a fool for a client, but hard as it way afterwards put in circulation.

stand up and asked him as to his views

He said that Attorney Dunne had would plead guilty to having uttered

thought it better to trust to the court Judge Dole took the only course and pronounced the man guilty fixing Mon-

It is very hard indeed to refrain from said that the first charge would be using that hackneyed proverb about "nolle prossed." This was the charge the man who is his own lawyer havis, this account of the beginning of Judge Dole directed the defendant to the trial of Corporal Hamilton, of the

(Continued on page five.)

## IN EVIDENCE

ATTORNEY BRINGING OUT CORRESPONDENCE SHOWING VARIOUS DISCUSSIONS OF THE MOTIVES FOR BRINGING THE SUIT-LOW ACTED AT THE SOLICITATION OF THE HAMAKUA DITCH CO., BUT SAYS HE MIGHT HAVE ACTED ALONE.

talked of in the Parker ranch case was it in court, stating that Low desired bid. introduced in evidence this morning, to produce it himself when on the during the cross-examination of J. A. stand. Kinney and Ballou demanded Magoon by W. A. Kinney. It was in- that it be placed in evidence and Judge troduced as a letter from J. S. Low to Lindsay ruled that it must be produced. AUU Hind, Rolph Company of San Francis- It was then read and placed in evico, dated October 29, 1904, and was dence. The copy was a letter press brought by Magoon in answers to demands made by Kinney for it last Sat-

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A copy of one of the letters so much urday. Magoon objected to producing

(Continued on page five.)

Mixed drinks are a source of never failing delight when skilfully prepared, The Criterion mixologists are kings in their class.

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Best goods, cheapest prices, customers kindly waited upon, orders punctually filled. K. Yamamoto, wholesale merchant, Hotel street.

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(Associated Press Cable to The Star).

ST. PETERSBURG, October 39,—An imperial manifesto which has just been announced, appoints Sergius De Witte prime minister of the Russian Empire with special authority to coordinance and unify the powers of the different branches of the governments, including the army. Civic liberty is granted to the Russian people and the national assembly

is given legislative power. The suffrage is enlarged RUSSIAN TROOPS REFUSE TO SHOOT STRIKERS. ST. PETERSBURG, October 30.-The troops in this city. Odessa and Lodz

refuse to fire on the strikers. The mobs in Warsaw are destroying buildings.

-0-RUSSIAN SAILORS MUTINY AND MURDER. ODESSA, October 30.—The crews who were removed from the vessels of ly contradicts statements by the Gov- bell sent for me to come to the Exethe Russian Black Sea fleet, have mutinied, killing Admirals Birileff and Chouken.

NEGOTIATIONS NEW RUSSIAN LOAN POSTPONED. ST. PETERSBURG, October 30.-Negotiations for the new loan have been postponed.

TROOPS DO SLAUGHTER AT REVEL.

REVEL, October 30 .- The troops fired volleys at the mobs here today killing and wounding over one hundred people,

TERRIBLE RAILROAD ACCIDENT. SHEFFIELD, Mo., October 30.-The Santa Fe Limited was ditched near

here today and thirteen people were killed and 25 injured. CHINESE MOB ATTACKS AMERICAN ADMIRAL. LONDON, October 30.-Rear Admiral Train, U. S. N. in company with his son was attacked by a mob of Chinese near Nankin. The Americans had been hunting and accidentally shot and injured a Chinese woman. The Chi-

nese mob attacked the United States marines that had been sent to the re-

lief of the Admiral and his son.

Ed. Pollitz has sold a large part I not all of his holdings of Honokaa stock. He is said to have had in the neighborhood of 10,000 shares. F. A. Schaefer was the purchaser of the stock. The parties to the transaction decline to give out the number of sale was made. Honokaa was quoted on the Stock Exchange today at \$15

EFFORT TO PROVE THAT HOGS SHOULD BE RAISED ON PARKER RANCH

C. J. Austin, of the government nurery, was called as a witness in the Parker ranch case this afternoon, Magoon's cross-examination being interrupted to allow Austin to get away Austin told of experiments in raising bringing of the case was introduced. corn, wheat and alfalfa, which are good hog feed, on Hawaii. He said he had thought there was a "grand opportunity" to raise hogs on the Parker ranch, when he was up there. He did not know the cost of raising the feed and had not gone into the details of the business, and so Kinney's objections to his testifying as to what profits might be made were sustained. Austin admitted on cross-examination that the corn had been a loss, cause the weather was such that he Rainier Beer. could not cure the hay.

GAMBLING CASES CONTINUED. The cases against Alex Nicholas, Laclae and the others who were charge Co. Also the millinery department is ed with being present at a gambling resplendent with handsome millinery. game in Kakaako were continued until omorrow by Judge Whitney this morning as J. W. Catheart, who is defending Nicholas and Laelae was engaged Katherine Cecil Thurston. Get it at in the Circuit Court.

# 

REPORTED INTER-ISLAND COM-KINAU WITH LARGER VESSEL.

There was a rumor about the water front today that the Inter-Island Steam Court had upheld in its former condishares sold or the price at which the Navigation Company proposed to take the steamer Kinau off the Hilo and tion. other boat. The Kinau would, it was CHAMBERLAIN'S COLIC, CHOLERA stated, be put on the Kausi run. This change would necessitate a general shifting of the various boats of the company. Just when the change is to however, by the Inter-Island officials.

> HAWAII POLICE CASE. The appeal from Judge Parson's deision in the test case to settle the right of the Hawaii Board of Supervisors, or the county sheriff, to appoint policemen ,is being argued today in the Supreme Court, by Judge Stanley and Judge Smith of Hilo.

THE PARKER CASE. In the Parker case today, some of the correspondence relating to the

MISSED GOING DOWN IN ALA-MEDA WRECK. Just received our stock 1906 Pocket and Desk Diaries. Better make your selection early. Wall, Nichols Co.,

MONEY WILL BUY Almost any kind of beverage, but the price is very often no indication of the real merit. Purity, wholesome also that he had lost on some hay, be- ness and low price are combined in

> NEW GOODS. The advance showing of new goods is now ready at N. S. Sachs Dry Goods

> THE GAMBLER. Is the latest b ok of the day, by the leading book store Arleigh's.

# REPRESENTATIVE RICE PUTS IT UP TO

DENIES THE GOVERNOR'S STATEMENT TO THE HILO BOARD OF TRADE THAT IT WAS THE OUTSIDE LEGISLATORS' FAULT THAT THE INCOME TAX MUDDLE EXISTS-SAYS CARTER LOBBIED TO DEFEAT THEIR EFFORTS.

The Garden Island of October 30. Governor Carter and Treasurer Camp-Hilo Board of Trade about the cor- bill containing this amendment. poration income taxes. In this he flaternor.

Lihue, Kauai, October 26, 1905. Editor Garden Island,

Sir: I have read the letter written by Governor G. R. Carter to the Hilo day and urged me to secure a recon-Chamber of Commerce, dated October sideration of the bill and have this 21st, in which he states that the mem- amendment withdrawn, which I debers of the last legislature are entire- clined to do. ly to blame for the trouble the outside come: taxes:

side members did not try to adjust the amendment, Treasurer Campbell, who law so as to prevent any dispute about had prepared the original bill, again the share of the outside counties in the came to me to induce us to drop the income taxes, and by their indifference amendment. practically agreed that Oahu County should have all income taxes.

the last legislature to take issue on his statement of fact.

pute as to where the taxes should go, the amendment, so as to give the coun-impossible, and to that end introduced ties their just shares" and acting upon through the House, to-wit:

Division in which the person has his ped the amendment. legal residence and in the case of a Now, does the Governor mean to say there the property of the corporation or the major part thereof is located."

This amendment was passed through the House by the unanimous vote of all outside members and was opposed by the unanimous vote of all members from Oahu.

might invalidate the const tutionality its fair, false promises. of the income tax act, and thus de-feat a good law which the Supreme

will print the following letter from Re- me by Treasurer Campbell, stated at presentative Charles A. Rice in rela- that time, before the Senate killed the tion to Governor Carter's letter to the amendment, that he would veto any

cutive Chamber to consult with them in regard to this amendment which I had introduced, after the amendment had passed in the House, on the same

After the Senate had acted, and the countles find themselves in regarding time came for the appointment of the their just share of the corporation in- conference committee from the House to confer with the senate committee as Governor Carter states that the out- to whether the House would yield this

At that time I conferred with representatives from the outside islands re-I deem it my duty as a member of garding the matter, and stated to them what Treasurer Campbell had told me. "that in future he would try to have The outside members all wanted this all the corporation income taxes colmatter adjusted so as to make all dis- lected in conformity with the spirit of the following amendment to the in- this promise of the Treasurer, and the ome tax act and passed the same view of a leading member of the Judiclary committee that under the law, as "Section 9. Where Tax Payable, The it stood, the outside counties could get taxes on income imposed by this chap- their shares anyway, we conceded to ter shall be payable in the Taxation the administration's request and drop-

corporation in the Taxation Division that the outside members of the legislature raised no objection to an unjust appropriation of the income tax by the Administration for the benefit of the County of Oahu?

Hawaii, Maui and Kaual members of the House did all in their power to protect their constituents and secure This amendment was killed in the for them their just share of the taxes Senate by the Interference of the and would have succeeded in the legis-PANY PROPOSES TO REPLACE Treasurer and the Governor, who re- lature but for the interference and presented that such an amendment lobbying of the Administration, and Yours very truty,

CHAS. A. RICE. Representative from Kauai Sixth Representative District.

AND DIARRHOEA REMEDY.

The uniform success of this remedy has made it the most popular preparaoccur can not be positively stated. No official announcement has been made, everywhere recognized as the one remedy that can always be depended upon and that is pleasant to take. For sale by all dealers. Benson Smith & Co., agents for Hawaii.

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